

REMARKS

Applicants thank Examiner Jackson for the indication in the Office Action of May 7, 2003, that the rejections over U.S. Patent No. Konishi, the admitted prior art, JP '767 and Jansen have been withdrawn. Applicants further thank the Examiner for the helpful and courteous discussion of May 28, 2003, during which the Examiner indicated that cancellation of the non-elected claims should bring the presently pending claims in condition for allowance.

The only remaining rejections in this case are the rejections of Claims 1, 4, 5, 6 and 18 which are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claims 10-12 and 14 of copending application U.S. Serial No. 09/901,908. According to MPEP § 804(I)(B):

If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the Examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent.

Applicants have canceled the non-elected claims.

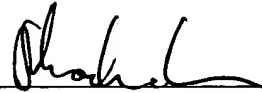
Appl. No. 09/457,743

Reply to Office Action of May 7, 2003

Applicants respectfully submit the amendment to the claims places all now-pending claims in condition for allowance. Applicants respectfully request the withdrawal of the rejections and the passage of all now-pending claims to Issue.

Respectfully Submitted,

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